

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RICHARD W. HERNANDEZ,
Petitioner

v.

UNITED STATES OF AMERICA,
Respondent

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No. 1:08-cr-00164

(Judge Kane)

ORDER

AND NOW, on this 29th day of January 2020, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Petitioner Richard W. Hernandez's Motion to Vacate Sentence under 28 U.S.C. § 2255 (Doc. No. 70) is **DENIED**;
2. A certificate of appealability **SHALL NOT ISSUE**;
3. Petitioner's Motion for Leave to Amend his Section 2255 Motion (Doc. No. 86) is **DENIED**; and
4. The Clerk of Court is directed to **CLOSE** civil case number 1:16-cv-01088.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania